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U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

NOTICE OF APPEAL

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|---|--|--|--------------------------------------|---------------------------------------|-------------------------|
| Application Number 10/758,540 | | Filing Date January 16, 2004 | Docket Number: 13877/26501 | Examiner Irina Sopjia Zemel | Art Unit 5593 |
| Invention Title MICROSPHERES | | | Inventor(s) KORN et al. | | |

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I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop: AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

Date: November 21, 2008

Signature:


Julie Forero

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S I R:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Examiner made in the Final Office Action for the above-identified application dated August 21, 2008 finally rejecting claims 1-23.

The Commissioner is hereby authorized to charge payment of the 37 C.F.R. § 1.191 Notice of Appeal fee of **\$540.00** to the deposit account of **Kenyon & Kenyon LLP**, deposit account number **11-0600**. The Commissioner is also authorized to charge any additional fees or credit any overpayment in connection with this paper to Deposit Account No. 11-0600.

Respectfully submitted,

Dated: November 21, 2008

By:


Willem F.C. de Weerd (Reg. No. 51,613)

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